

Summary of the NELAC Board of Directors Teleconference June 27, 1997

The Board of Directors of the National Environmental Laboratory Accreditation Conference (NELAC) convened by telephone on Friday, June 27, 1997 at 3:00 pm. The Board was led by its Chair, Dr. Eldert C. Hartwig, Jr. of the Florida Department of Health and Rehabilitative Services. A list of action items is provided in Attachment A and a list of participants is given in Attachment B.

Approval of the Minutes of the May 20, 1997 Meeting

The minutes were approved as submitted.

NIST Radiochemistry Intercomparison Program (NRIP)

Dr. Kenneth Inn of NIST noted the need for an accreditation program for radioassay laboratories. He stated that radioassay laboratories are not currently assessed by a common measure of quality, that EPA/DOE radioactivity PT programs sometimes issue poor quality test samples that are not traceable to NIST standards, and that NIST itself sometimes issues poor quality standards. He also expressed concern about the quality of PT samples being prepared by current suppliers and the need for assessment of those suppliers. He identified what he perceived to be a shortcoming in the NELAC standards regarding traceability to NIST radioassay standards and the lack of specificity in the NELAC standards to testing of PT providers. It was noted that additional sections will be added to the NELAC standards after the Dallas meeting covering radiation, biology, microbiology and air programs, and that Appendix D of the current standards contains pertinent information on requirements for PT oversight bodies. Dr. Inn concluded his presentation with a description of the NIST Radiochemistry Intercomparison Program (NRIP). Dr. Hartwig asked Dr. Inn to forward his comments and prepared materials to the NELAC PT Committee for its consideration.

Interagency Agreement with NIST

Dr. Steve Clark of the USEPA reviewed the status of the interagency agreement between the USEPA and NIST regarding to privatizing the provision of drinking water, waste water, and DMRQA performance evaluation (PE) samples. NIST is to provide oversight of the samples suppliers. The agreement involves only drinking water laboratories covered under the Clean Water Act and/or the Safe Drinking Water Act. The USEPA wants to develop a drinking water certification program that meets both state and NELAC requirements. In response to Dr. Hartwig's inquiry as to how long it would take for NIST to provide the necessary mechanism and oversight for other areas (solid waste, air, etc.), Dr. Clark said that those program offices would have to develop their own interagency agreements with NIST. Ken Inn asked for more information about matrices and regulations outside of drinking water that involved radionuclides. He was encouraged to contact Ms. Jan Jablonski or Mr. Russ Wright of the USEPA, for information on other radionuclide programs. Dr. Jackson expressed concern that NIST had

declared it would develop its own standard for oversight of PT providers. He pointed out that all standards must be approved by NELAC in order to be acceptable. He also requested that the memorandum of understanding between EPA and NIST specify that NIST may not modify the standard without the approval of NELAC.

Voting Session Instructions

Concerns were expressed by attendees at the 2nd Annual Meeting about the adherence to Robert's Rules Of Order during voting sessions. Mr. Arthur Clark of USEPA Region 1 and Mr. John Anderson of the Illinois EPA were identified as being well-versed in parliamentary procedure and valuable resource people for avoiding problems during voting sessions at the 3rd Annual Meeting. An additional concern was raised as to the status of Governor appointed representative as "voting members" in the Constitution and Bylaws. Dr. Hartwig asked Dr. Kenneth Jackson to verify that these documents reflected that voting members consisted of representatives, and to add this narrative as appropriate. Dr. Jackson noted that representative are very clearly identified in the Constitution and Bylaws as "voting members".

Transition Committee Report

Ms. Carol Batterton reviewed the final report of the *Ad Hoc* Transition Committee with the Board. The committee recommended that initial approval of all accrediting authorities will be done simultaneously, that this approval be granted by June 1998, and that eight to nine states will seek approval in the first round (Dr. Charles Brokopp reported that all states and territories except Guam and American Samoa have responded to a survey requesting information as to whether those states and territories intended to seek NELAC recognition). The committee also recommended that, until PT providers are approved by NELAC, accredited laboratories may be allowed to continue to use their current providers. Issues that the committee proposes for additional discussion included state supplemental requirements with respect to reciprocity, guidance for states in completing their applications, concerns regarding implementation, the scope of NELAC, and assuring auditor proficiency. In lieu of passing its responsibilities on to the Implementation Committee, it was decided that the work of the *Ad Hoc* Transition Committee had not been completed and that the latter would continue to exist.

Accrediting Authority Review Board (AARB) Nominations

No general discussion was held. However, Dr. Pauline Bouchard invited board members to submit names of individuals who might be good candidates to serve on the AARB. Some further definition of the qualifications of these candidates is required.

Changes to Constitution and Bylaws on Fees, etc.

Dr. Jackson reviewed changes made on an "emergency basis" to the NELAC Constitution and Bylaws concerning references to fees. These changes were necessitated by a law that forbids government employees from serving on any board that has fiduciary responsibilities. Article VII of the Constitution, which is 'reserved' will be struck and subsequent articles will be renumbered.

Reserved Article II of the Bylaws will be struck and subsequent articles will be renumbered. Reserved Sections 6 and 7 of Article V in the Bylaws referring to the duties of treasurer and assistant treasurer have also been struck and the subsequent section has been renumbered.

Policy on New/Replacement Members

Ms. Jeanne Mourrain outlined a proposed policy on committee membership. The goals of such policy would be to ensure the greatest possible balance among private-sector and government participants in NELAC. Committee chairs would be asked to balance the voting membership to the degree possible by avoiding duplications from the same state, agency, region, type of state or federal program, etc. Similar considerations should be made when selecting contributors. Chairs would also consider size of states and geographic distribution when naming new members. Each chair would be encouraged to seek individuals from affiliations not represented on his/her committee or other committees, but that replacements for an individual who cannot complete his/her term with an individual from the same affiliation would be acceptable. Any voting member or contributor who has served on a committee would not be eligible to serve on another committee for the period of one year. Once NELAC is stabilized, individuals would not be allowed to serve on the Board and on a committee concurrently; however, each committee should be tracked or monitored by a Board member.

Food Laboratory Accreditation Working Group (FLAWG)

Ms. Mourrain reported that the Food and Drug Administration (FDA) eliminated its microbiology testing program for a variety of reasons including management problems. They now have a “private-sector NELAC” of mostly private laboratories, closed meetings, and limited federal support. There seems to be limited overlap in the roles as currently established.

The National Laboratory Accreditation Program for pesticides in organic foods has still not been finalized. The FDA and the Department of Agriculture are currently working out differences between themselves regarding regulations on fruits, vegetables, and meats. There was no timeline available on when the negotiations would be finalized. The standards will not be released for public review until on internal negotiations have been completed.

Posting of Standards

Ms. Mourrain reported that all sections of the NELAC standards, in identical format, would be posted on the TTN by Monday, July 1, meeting the proposed schedule. A notice would be placed in the “Alert” section of the TTN stating that the report of the *Ad Hoc* Transition Committee, chaired by Ms. Carol Batterton, would be posted as soon as possible, as would the results of the “Summary of Intent Survey” designed, distributed, and tallied by the Dr. Brokopp of the Utah Department of Health. The training manual from the NELAC On-Site Assessment Committee will also be posted as soon as possible, with a note that the posting is for informational purposes and not in preparation for any voting at the Dallas meeting.

Award to Outstanding Committee/Individual

Ms. Mourrain proposed that NELAC recognize, on an annual basis, an individual or committee that has made an outstanding contribution to the NELAC process, and proposed a recipient to receive the first award. A concern was immediately raised as to the possibility of NELAC feeling duty-bound to make such an award in a year when no qualified recipient(s) existed. Ms. Mourrain responded that, by making only one award annually, the likelihood of such a situation arising would be minimized.

Press Passes

A request has been made to NELAC for a press pass for the Annual Meeting in Dallas. Other requests may be forthcoming. It was decided that the issuance of complimentary passes, the number of passes issued, and other considerations resulting from the issuance of same, be handled directly by co-host Texas Natural Resource Conservation Commission. Some advantages and disadvantages of issuing these passes were outlined by Dr. Hartwig and Ms. Batterton.

ELAB PT Committee

The ELAB PT Subcommittee informed Ms. Mourrain that they would recommend proficiency testing by program/method/analyte, and not by program/matrix/analyte as proposed by NELAC. This issue, if not resolved, could potentially prevent the PT chapter of the NELAC standards from being passed at the Dallas meeting. The ELAB Subcommittee has agreed that the chapter be passed as is (program/matrix/analyte) but that NELAC reassess, at an appropriate time, the relative merits of program/matrix/analyte and program/method/analyte.

Interagency Council on Standards and Policy

Ms. Mourrain reported that she and Mr. Ted Coopwood had just attended a meeting of this group. This group can provide a forum for NELAC to have a greater voice in the activities of the National Council on Laboratory Accreditation (NACLA). She encouraged NELAC to be as influential as possible in guiding the leadership of this group into recognizing the needs of, and understanding the perspective of, the regulators. Presentations were made to the Council by the water, lead, and air programs, NELAC, RCRA, Superfund, HHS, DOE, the US Army and US Air Force, and the Department of Agriculture. This Council will look at the applicability of ISO 25 to all federal programs, issues regarding international recognition, and ISO 9000 versus ISO 25, traceability, and a comparison of ISO 25 to the GLP's. They also want to develop a vision relative to the NACLA.

Miscellaneous

Dr. Mike Volz has resigned from the Membership and Outreach Committee. Dr. Irene Ronning and Mr. George Mills have been actively involved on this committee for some time and will serve as acting co-chairs at least through the NELAC Third Annual Meeting.

Dr. Gary King raised a concern about his current, dual service as a member of the NELAC Board

of Directors and chair of the Implementation Committee. Dr. King recommended that Ms. Jan Jablonski, who was recently appointed to the committee, serve as acting chair at the NELAC Third Annual Meeting. The committee has been charged with interacting more closely with the EPA Program Offices, and Ms. Jablonski is a logical link as co-chair of the EMMC *Ad Hoc* Panel on Laboratory Accreditation.

Attachment A

ACTION ITEMS
Board of Directors Teleconference
June 27, 1997

Item No.	ACTION	Date Completed
1.	Board members are to propose suitable candidates for service on the Accrediting Authority Review Board	
2.	Ms. Jeanne Morrain is to provide copies of the Policy on Committee Membership to all Board members and committee chairs	

LIST OF PARTICIPANTS
Board of Directors Teleconference
June 27, 1997

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